

REMARKS/ARGUMENTS

This is responsive to the Office Action dated August 13, 2003. This Response is accompanied by a request for a one-month extension of time. Accordingly, it is respectfully submitted that this Response is timely filed.

In the Office Action, the Examiner allowed claims 1, 3 and 8-16. In addition, the Examiner stated that claim 5, which is withdrawn, would be allowable if amended to depend from claim 1 or 3 instead of cancelled claim 2.

By this Response, the applicant has amended claim 5 so as to depend from claim 1 as suggested by the Examiner. Accordingly, the applicant respectfully submits that claim 5 is now allowable.

In preparing this Response, the applicant has reviewed the consistency of the language in the allowed claims. In particular, in the last Response, the applicant amended claim 1 by inserting therein the limitation from claim 2. Claim 2 used the phrase "porous electrically conductively plates" instead of the phrase "electrically conductive members". The applicant has amended claim 1, and the dependent claims, to delete the word "members" and replace it by "plates" so that, in all of the allowed claims, the element "electrically conductive members" now reads as "electrically conductive plates". The applicant submits that this change was made merely to provide consistency and is not a narrowing limitation.

The Examiner had rejected claims 17-19, 22 and 25-28 in view of prior art references. In addition, claims 20, 21, 23, 24, and 29-59 had previously been withdrawn from

consideration. By this Response, the applicant has cancelled all of claims 17-59 without prejudice to pursuing these claims in a continuation or divisional application.


Finally, the applicant has inserted 3 new dependent claims namely claims 60-62. These claims depend from claim 1 and, accordingly, the applicant respectfully submits that these claims are allowable as depending from an allowed claim.

Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

BERESKIN & PARR

By


Philip C. Mendes da Costa
Reg. No. 33,106
Tel: 416-957-1695